

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
*Richmond Division***

JOSEPH J. DICK, JR.

Petitioner,

v.

Civil Action No.: 3:10cv00505

**HELEN FAHEY, CHAIRPERSON
OF THE VIRGINIA PAROLE BOARD,**

Respondent.

**OBJECTION TO PETITIONER'S MOTION TO STAY AND
HOLD PROCEEDINGS IN ABEYANCE**

Helen Fahey, Chairperson of the Virginia Parole Board, by counsel, objects to the petitioner's motion to stay and hold the federal habeas corpus proceedings in abeyance in order for him to file a state habeas corpus petition.¹

The reasons supporting this objection are set forth in the accompanying brief, which is incorporated by this reference.

The Court can rule on the petitioner's motion and the respondent's objection, based on the pleadings, without the need for oral argument.

¹ The habeas petition and motion to stay were filed in this Court on July 23, 2010. The Court has not directed the respondent to file a response to the petition.

WHEREFORE, the respondent objects to the motion of the petitioner and prays the Court will deny the petitioner's motion.

Respectfully submitted,
Helen Fahey, Chairperson of the Virginia
Parole Board,
Respondent

/s/ _____
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CERTIFICATE OF SERVICE

On August 5, 2010, I electronically filed this Objection with the Clerk of Court by using the CM/ECF system, which will then send a notification of such filing (NEF) to the following: Harmony I. Loube, Esquire, Holland & Knight LLP, 195 Broadway, 24th Floor, New York, NY 10007, harmony.loube@hklaw.com and Rebecca Anne Worthington, Esquire, Squire Sanders & Dempsey LLP, 1201 Pennsylvania Ave, NW, Suite 500, Washington, DC 20004-0407, rworthington@ssd.com, counsel for the petitioner.

/s/_____

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